Guide to Obtaining Your Own Divorce in New Brunswick

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A. Filing for a Divorce

What is a divorce? A divorce is the termination of the legal contract called marriage. Divorced spouses generally have no rights or obligations with respect to each other. Entitlement to support is the exception to this rule, although it is not automatic. To obtain support, the spouse who is claiming it must demonstrate that the breakdown of the marriage will place him or her in a difficult economic situation.

Divorce does not affect the spouses' rights and obligations with respect to any children of the marriage. Spouses still have a financial obligation towards their children, and the children are entitled to have as much contact as possible with both parents.

Can I obtain a divorce? You must be sure that there is no way of resolving conflicts. If there is any possibility of reconciliation, it might be wise to consult a marriage counsellor or a mediator. Lawyers and the court have a legal obligation to ensure that there is no possibility of a reconciliation.

To file a Petition for Divorce in New Brunswick, you must have lived in New Brunswick for at least one year.

The breakdown of the marriage is the only ground for divorce. There is a breakdown of the marriage if: the spouses have lived separate and apart for one year, or one of the spouses has committed adultery, or mental or physical cruelty has rendered the continuation of cohabitation intolerable.

Do I need a lawyer? It is not usually necessary to retain a lawyer if the divorce is not being contested, i.e., neither spouse opposes the divorce, and the spouses agree on or have already settled the issues of child custody, support, and division of marital property.

This Guide explains only divorce proceedings by reason of a one-year separation. If you wish to file for divorce on the grounds of adultery or mental or physical cruelty, you should retain a lawyer. Or you may wait until you have been separated for one year and use this reason in your petition.

In New Brunswick, you may proceed on the basis of affidavit evidence if the divorce is not being contested. In such a case, a court hearing is not necessary. In either case, the forms must be filled out accurately. If the information is incomplete, the request for a divorce will be rejected. Do not forget that the court will be no less demanding simply because you are doing your own divorce. The court requires the same professionalism of you that it requires of lawyers.

In summary, you may prepare your own divorce proceeding if

i - you can establish that there has been a breakdown of the marriage,

ii - you can easily serve the required documents on your spouse (he or she lives in Canada and will not refuse to accept the documents), and

iii - you have settled the issues of child custody, support, and division of marital property.

If unexpected complications arise during the proceeding, do not hesitate to consult a lawyer.

B. Grounds for Divorce

Under the Divorce Act, 1985, the sole ground for divorce is the breakdown of the marriage (subsection 8.1). There is a breakdown of the marriage where:

1. the spouses have been living separate and apart for at least one year immediately preceding the determination of the divorce proceeding; or
2. the spouse against whom the divorce proceeding is brought has committed adultery; or
3. the spouse against whom the divorce proceeding is brought has treated the other spouse with physical or mental cruelty of such a kind as to render intolerable the continued cohabitation of the spouses.

It does not matter who is "at fault." If one of these three circumstances applies, it is possible to request a divorce. (It is only recommended to attempt to do your own divorce if you qualify under the first circumstances).

1. One-Year Separation (paragraph 8(2)(a))

The spouses must have been living separate for one year before requesting a divorce.

The separation period must not have been interrupted. However, the Divorce Act, 1985 allows for periods of reconciliation. After the separation, cohabitation may be resumed on one or more occasions, provided the total length of time does not exceed 90 days.

If you have lived apart for 10 months and then resume cohabitation for more than 90 days, the one-year separation period has been interrupted. You may no longer use this period to establish proof of separation. You must live apart for one year before you may request a divorce.

Both spouses do not have to consent to the separation. Furthermore, it does not matter whether one of the spouses leaves the other without grounds. If one of the spouses leaves, either spouse may request a divorce or they may request it jointly.

Separation occurs when one of the spouses leaves the marital home with the intention of living apart from the other. Separation implies a loss of consortium, that is, a loss of camaraderie, love, affection, assistance, moral and mental support, mutual services, sexual relations, and a discontinuation of sharing expenses, duties, or social obligations. It is possible for spouses to live in the same house and yet live separately if each leads an independent life. The court has determined, in certain cases, that there was separation even though a couple lived under the same roof, because the facts pointed to an absence of "consortium." Each had his/her own bedroom and there were no sexual relations, there was little communication between them, they did not sell each other domestic services, they ate their meals separately, and did not engage in social activities together.

The court may determine that the one-year separation period was not interrupted because one of the spouses became incapable of forming or having an intention to continue the separation (paragraph 8(3)(b)). One of the spouses may suffer from temporary mental incompetence or be committed to a psychiatric institution during the separation period, but this does not affect its validity or effect.

To prove that there has been a breakdown of the marriage by reason of a one-year separation, you must have exact dates and explain whether any attempts at reconciliation were made (for example, the resumption of cohabitation or sessions with a marriage counsellor). If you have a separation agreement, this legal document is evidence that there is a serious intention to end the relationship.

The Divorce Act, 1985 contains a new provision. Joint applications for divorce are now allowed. The two spouses may request a divorce jointly after a one-year separation.

2. Adultery (subparagraph 8(2)(b)(i))

Adultery on the part of one of the spouses is also evidence of a breakdown of the marriage.

In this case, it is not necessary to wait for one year. The request for divorce may be made at any time. The spouse who committed adultery may not request a divorce.

Adultery can be proved either by admission or by circumstances. In the first case, the spouse admits voluntarily and freely that he or she committed adultery. In the second case, the circumstances indicate the probability of adultery by fact that the spouse lives with another person with whom he or she shares a bedroom containing men's and women's clothing, demonstrates his or her affection for this person in public, takes trips with this person, and/or visits this person day and night.

If you wish to put forward this reason for the breakdown of the marriage, it is preferable to retain a lawyer.

3. Mental or Physical Cruelty (subparagraph 8(2)(b)(ii))

The breakdown of the marriage may be the result of mental or physical cruelty that makes continued cohabitation intolerable.

Generally, cruelty means inflicting pain on or being indifferent to the pain inflicted on the other person. Cruel behaviour goes beyond discord that may arise between spouses. It must be recurrent and extend over a period of time. It can not be a one-time incident.

In order to put forward mental or physical cruelty as a ground, it must be established that there was cruel behaviour and that it rendered continued cohabitation intolerable. There are no fixed criteria. It must be shown that the behaviour is cruel to the other spouse and that it has a detrimental effect on their mental or physical health.

If you wish to put forward this reason for the breakdown of the marriage, it is preferable to retain a lawyer.

4. Absence of Collusion, Connivence, and Condonation

In any request for divorce, the court must ensure that there has been no collusion, connivence, or condonation by the spouses. If one of these situations is discovered, the court will reject the petition for divorce.

a. Collusion - an agreement or conspiracy between the spouses for the purpose of subverting the administration of justice, or an arrangement to fabricate or suppress evidence or to deceive the court. For example, there is collusion when the spouses agree to shorten the one-year separation period by falsifying dates.

b. Connivence - actively encouraging of a spouse to commit adultery, or not reacting to the knowledge that a spouse has committed adultery. Under these circumstances, adultery cannot be put forward as the reason for the breakdown of the marriage.

c. Condonation - adultery is committed and admitted and cohabitation continues as if the adultery had never taken place. Under these circumstances, adultery cannot be put forward as the reason for the breakdown of the marriage.

C. Corollary Issues

1. Custody

Divorce is a breakdown of the relationship between a man and a woman but not of their relationship, rights, and responsibilities with respect to a child. In a divorce, the court seeks first to protect the interest of the child.

Both parents are entitled to child custody. This right may be amended by a court order or through the consent of the parents. The parents may agree, by means of a separation agreement, that the custody, care, and physical control of the child will be the responsibility of the mother or father, or shared and assumed by both parents.

The principle of awarding custody of young children to the mother is used less and less. The principle of the best interest of the child is more important: which of the two parents is able to ensure and provide the child with a stable, safe, family environment in which the child can develop.

The court may grant joint child custody. Each parent is given legal custody of the child; one parent is responsible for the care and physical control of the child and the other has easy access to the child. In this case, the parents make and share decisions about the educational, spriritual, physical and general welfare of the child. But joint custody requires a great deal of cooperation between the spouses. Any suspicion of friction between the parents is sufficient for the court to reject an application for joint custody.

It is important to note that the court does not take into consideration a parent's past conduct unless it is relevant to that person's ability to act as a parent. For example, if the father had a stable relationship with another person at the time the application for custody was made, the court would not consider adulterous acts committed in the past.

The court adheres to the principle that a child must have as much contact as possible with both parents. Therefore, the willingness of the parent seeking custody to facilitate the child's contact with the other parent is very important.

The custody order is not final. The parent with visiting rights may later apply to have the custody order changed. If circumstances have changed so that it would be in the best interest of the child to grant custody to the parent with visiting rights, the court will do so.

Visiting rights (access) are awarded to the parent who does not have custody. It is rare for a parent to be deprived of visiting rights unless there is real danger that the child will be a victim of emotional or physical abuse. The court generally considers it to be in the best interest of the child to maintain a relationship with both parents.

The Divorce Act, 1985 allows the parent with visiting rights to ask for information on the health, education, and welfare of the child. The court may also include in the custody order an obligation on the part of the parent with custody to provide the parent with visiting rights with a 30-day advance notice of his or her intention to move as well as the new address.

A custody order may be granted at any time after the departure of one of the spouses. There is no waiting period for applying for child custody. If there is a custody order in effect when the Petition for Divorce is filed, all you have to do is ask that the same order to be included in the Divorce Judgement. If circumstances have changed and you wish to ask to have the custody order amended, you must do so in the Petition for Divorce.

2. Support

Support may be paid by one spouse to the other and must paid for children of the marriage.

A support order may be amended at any time if circumstances change. The person applying for an amendment must prove that a change has taken place.

The support order may be for a set period of time or it may depend on a specific event, such as the remarriage or employment of the spouse, or in the case of children, on their marriage or when they are self-sufficient.

The court does not take into consideration the misconduct of one of the spouses. But if the spouse receiving support does not make the necessary effort to find employment and acquire skills, the court may amend or terminate the support order, as the Divorce Act, 1985 obliges the spouses to achieve economic self-sufficiency.

i. Support of Spouse

The purpose of providing for support to one of the spouses (often the woman) is to encourage the economic self-sufficiency of each spouse within a reasonable length of time.

Spouses are generally not entitled to support. After the breakdown of the marriage, the spouses no longer have any rights or obligations with respect to each other. But support is considered if the breakdown of the marriage places one of the spouses in a difficult financial situation. For example, if the woman stayed at home and took care of the children during the marriage, she would have to take the time to acquire skills so she could find a job. Support encourages the woman to achieve economic self-sufficiency.

Support is granted for a specific period of time (it is not permanent). During this period, the woman must make every possible effort to readjust or adjust to the job market.

The objective of economic self-sufficiency is the rule, but there is an exception. This occurs in the case of older women who have always worked in the home and have no training that would enable them to achieve economic self-sufficiency. In this situation, permanent support might be awarded.

When a support claim is made, the court takes into consideration the condition, means, needs and other circumstances of each spouse, the length of the marriage, the functions performed by each during the marriage, the level of education of both spouses, and the health and ability of the spouse claiming support to find a job.

The court may order one of the spouses to pay the other monthly payments in the amount specified by the court and/or a lump-sum payment.

ii. Child Support

The Divorce Act, 1985 defines "child of the marriage" as any child under 16 and any child 16 or over who by reason of illness, disability or other cause, cannot obtain the necessaries of life.

It is up to the court to determine whether a child over 16 is a "child of the marriage." Generally, if a child is completing his or her education (college, university), the court will rule in favour of the child.

Children of the marriage are entitled to child support, which cannot be bargained away by either parent. For example, the spouses may agree that the woman will keep the house and not claim child support. The court has the power to disregard the spouses' agreement if it deems that it is not in the best interest of the child not to pay child support.

Both spouses have a financial obligation towards the children. If one of the spouses earns more than the other, the financial obligations of each will be commensurate with his/her income and means.

Child support continues until the children are at least 16, until they can obtain the necessaries of life, or until they marry. The age at which a child is no longer entitled to support varies from case to case.

3. Separation Agreement

If the spouses separate, they often consult lawyers to draw up a separation agreement. A separation agreement is a contract between husband and wife that determines the amount of support to be paid, child custody and visiting rights, the division of marital property, and any other matter of importance to the spouses. The contract specifies the rights and obligations of the spouses.

Generally, a separation agreement should contain at least the following provisions:

- child custody and visiting rights.

- child support. It is important to specify the exact amount, payment date, and duration. For example, support might end when the children reach the age of 18 or complete their postsecondary education. It is very important to note that the court must ensure that reasonable child support arrangements are made. If they are not, the court may stop the divorce proceeding. The court may accept, reject, or increase the amount of child support set out in the separation agreement.

- division of such marital property as furniture, appliances, family items, money, and other property.

- the marital home. It must be determined whether it will be sold and the proceeds of the sale shared by the spouses, or whether one of the spouses will buy out the other's share and remain in the home, or whether one of the spouses will remain in the home with the children until they leave, in which case the spouses must agree on how the mortgage and any repairs will be paid for, or whether any other suitable arrangement will be made.

- where applicable, support of the wife or husband. The amount, payment date, and duration must be specified.

- responsibility for debts. It must be determined who will assume this responsibility or how it will be shared.

- duration of the agreement; date on which it expires.

The spouses must agree on the various issues to be decided. Then one of the spouses retains the services of a lawyer, who draws up the separation agreement. The other spouse also retains the service of a lawyer, who checks the separation agreement and explains the rights and obligations of the spouses as set out in the agreement. It is a legal duty that the spouses not consult the same lawyer.

The separation agreement is a contract, and it is assumed that each person knows and understands the content of the signed document.

The court will generally accept the separation agreement unless it discovers that one of the spouses was forced to sign it, that a false statement was made about marital property, that the consequences are unfair (one of the spouses would be living below the poverty line while the other would be well off), or that the spouses did not consult separate lawyers.

The separation agreement, if you have one, is part of the documents to be filed for the divorce proceeding. You must tell the court which provisions (such as custody, division of property, marital home, support) of the separation agreement are to be included in the Divorce Judgment.

4. Orders for Custody, Support, and Division of Marital Property

If you are living apart and a separation agreement is not possible because your spouse refuses to cooperate, and no decision has been made about applying for a divorce, there is something you can do about the situation.

Under the Family Services Act of New Brunswick, you may apply for an order for custody and an order for support of children and/or of the spouse.

Under the Marital Property Act of New Brunswick, you may seek a division of marital property and an order for exclusive ownership of the marital home, i.e., the spouse with custody of the children remains in the home with the children or any other arrangement requested of the court.

If you wish to request a support order, contact the Family Court in your area. If you wish to seek any of the other orders, you must retain a lawyer.

If, after obtaining the orders you want, you decide to apply for a divorce, the orders obtained become part of the court record of the divorce proceeding. The provisions in the orders that you specify to the court will be included in the Divorce Judgement.

5. Unadjusted Canada Pension Plan Earnings

Either spouse may apply for the division of unadjusted pensionable earnings of the Canada Pension Plan. It is not necessary for this person to have contributed personally to the Plan to be entitled to a division of the unadjusted earnings of his or her spouse. For example, a woman who worked in the home taking care of the children and household tasks is entitled to apply for a division of unadjusted pensionable earnings.

The person who applies for a division of unadjusted pensionable earnings must meet the following requirements:
i - the divorce must have been granted after January 1, 1987; and
ii - the spouses must have lived together for at least 12 consecutive months during the marriage.

You must fill out a Division of Unadjusted Pensionable Earnings form (see sample in Appendix) and send it to the Canada Pension Plan office nearest you. The following documents must be attached to the application:
i - original birth certificate of both spouses,
ii - original marriage certificate; and
iii- a true copy* of the Certificate of Divorce.

The two spouses will be notified of the results of the application and will receive a financial statement showing the income credited to each before and after the division of earnings. The spouse making the application may, within 30 days of receiving the notice, withdraw the application. In addition, both spouses have the right to appeal against the results of the application.

* A true copy is a certified photocopy of the document. The photocopy is certified by an authorized person, such as a commissioner of oaths, lawyer, member of the clergy, physician, police officer, bank manager, postmaster, accountant, teacher, or social worker. You photocopy the document and then take the original and the photocopy to an authorized person. This person checks the original and the photocopy, and on the photocopy, indicates his or her title and writes the following: "True photocopy of unchanged original document". He or she then signs the photocopy.

6. Change of Name

Women who wish to take back the family name they had before their marriage often do so simply by reestablishing its use. You do not need a lawyer to regain your family name. Your birth certificate still carries your birth name.

You may also choose to register the fact that you are taking back your name by filling a form (see Appendix 5) with the Change of Name Office of the Registrar General of Vital Statistics. If you were married after 1987, you must have your divorce judgment before you send this form.

The following documents must be attached to the application:
i - the original copy of your marriage certificate, and
ii - the original Certificate of Divorce.

The Change of Name Office will photocopy the documents submitted and return the originals to you.

The fee for changing your name is $15. This fee does not cover the cost of issuing a certificate. To receive a change of name certificate, you must include an additional $15. Some institutions (for example, banks) may require this certificate when you ask them to change the name that appears on your documents. You must decide whether you need a certificate or not.

A cheque for $15 or $30 must be made payable to the Minister of Finance.

The name change becomes valid the day it is registered at the office of the Registrar General.

D. Doing your own Divorce

Some important rules

1. Documents

All documents prepared for the court must be on legal-size paper (8 1/2" x 14").

It is strongly recommended that all documents be typed and double-spaced. You may print if your handwriting is clear, neat, and legible. The court reserves the right to return illegible, wrinkled documents.

You must leave a one-and-one-half-inch margin on each side of the page, a one-inch margin at the top of the page, and a two-inch margin at the bottom of the page.

All documents, including copies, must bear an authentic signature. Do not photocopy signatures.

2. Title of Proceeding

Each case before the court has a title. That is how cases are identified. All documents relating to your divorce proceeding must have the same title. Only the identification of the document changes. Here is an example:

Court File Number: 1301 _____[1]

In The Court of Queen's Bench of New Brunswick
Family Division
Judicial District of _____ [2]

Between

_____
Petitioner [3]

- and -

_____
Respondent [3]

_____ [4]

Notes

1. A court file number is assigned by the Registrar when the Petition for Divorce is filed. This number must appear on every document filed for your case.

2. You must indicate in which judicial district the documents are to be filed. If there is to be a hearing, it will be held in this district. (See Appendix 2 for a list of judicial districts in New Brunswick).

3. You must indicate the full name of the petitioner and the respondent.

4. Identification of the document, for example: Affidavit, Financial Statement, or Index.

3. Affidavits

All affidavits must be sworn to before an officer qualified to hear statements made under oath, i.e., a lawyer or a commissioner of oaths. Lawyers may charge a fee for this service. Telephone several offices to find out what their fees are. Some social workers are also commissioners of oaths.

Steps to Follow

Step 1. Obtain your marriage certificate

Before preparing the Petition for Divorce, you must obtain a certified marriage certificate.

If you were married in New Brunswick, you must fill out the application form (see Appendix I), make out a cheque or money order in the amount of $15 payable to the Minister of Finance and send it to the following address:

Vital Statistics
Department of Health and Community Services
P.O. Box 6000
Fredericton, N.B.
E3B 5H1

If you were married in another Canadian province or territory, you must write to the appropriate address (see Appendix 1) and ask for a marriage certificate application form, specifying that it is for a divorce proceeding.

Step 2. Prepare the Petition for Divorce

There are two ways of applying for a divorce:

a) Joint Petition for Divorce - The spouses prepare and fill out the joint petition for divorce together. It is not necessary to notify the other spouse and the cost of serving the documents is eliminated. Joint Petition for Divorce forms are not available at any office of the Court of Queen's Bench or at the Office of the Registrar. You must type your own Joint Petition for Divorce, if you opt for this procedure. This procedure is rarely used and will not be explained in this guide; and

b) Petition for Divorce by one of the spouses - One of the spouses fills out the Petition for Divorce form. If this procedure is used, the document must be served on the other spouse.

You may obtain a Petition for Divorce from the office of the Court of Queen's Bench in the judicial district nearest you (see Appendix 2). You may also contact:

Office of the Registrar
Court of Queen's Bench
P.O. Box 6000
Fredericton, N.B.
E3B 5H1

The cost of the Petition for Divorce is $1.00. Do not forget that you will need four (4) copies of this document. You may buy four (4) or buy one and make copies.

Preparing the Petition for Divorce is a very important step in the procedure. Read the document first. Have your marriage certificate and separation agreement in hand.

Refer to the sample Petition for Divorce in Appendix 3.

If you are requesting child support payments, you should also prepare a financial statement, even if you are only requesting that the court accept the arrangements agreed to in a separation agreement. You can obtain financial statement forms from the Court of Queen's Bench, for $1.

Step 3. FILE YOUR DOCUMENTS

Your Petition for Divorce is now ready. Attach your marriage certificate and separation agreement.

Make three copies of each document. One copy is sent to the Registrar, one copy is kept by you, and the other must be served on the respondent.

Take the original copy of the Petition for Divorce, attach to it your marriage certificate and the original of your separation agreement and financial statement. Fasten them with a paper clip. Do the same with the copies.

You need two certified cheques or money orders. The first is in the amount of $100.00 and made out to the MINISTER OF FINANCE. It covers the document filing fee. The second is in the amount of $10.00 and made out to the RECEIVER GENERAL OF CANADA. It covers the fee for obtaining a certificate from the Central Registry of Divorce Proceedings in Ottawa. This registry receives all Petitions for Divorce in the country. It ensures that no other Petition for Divorce involving the same people has been filed. After doing a check, the Registry issues a Clearance Certificate.

The original document and copies and the two (2) cheques or money orders must be sent by registered mail ($3.) to the following address:

Deputy Registrar of The Court of Queen's Bench
Justice Building, Queen Street
P.O. Box 6000
Fredericton, N.B.
E3B 5H1

NOTE - Do not forget to send a covering letter with your documents (see example).

The original Petition for Divorce is signed by the Deputy Registrar, sealed, and the court file number is written on it. The copy is retained by the Office of the Deputy Registrar. The original Petition for Divorce is returned to you.

The Clearance Certificate from the Central Registry of Divorce Proceedings will be sent to you by the Deputy Registrar. Keep the Clearance Certificate in a safe place, as you will need it later.

Example of Covering Letter for Documents

2 Poplar Street
Moncton, N.B.
E1C 1A1
_____, 19___

Deputy Registrar
Court of Queen's Bench
Justice Building, Queen Street
P.O. Box 6000
Fredericton, N.B.
E3B 5H1

Sir:

You will find enclosed, for filing purposes, a Petition for Divorce, the attached documents, and two cheques covering the filing fee and the cost of the Clearance Certificate.

Please return the documents to me at the above address.

Yours truly,

Esther Page

enc.

Step 4. Serve the documents on your spouse

To let your spouse know that you are applying for a divorce, he must be notified of or given the Petition for Divorce. This must be done by one of the prescribed methods, because the court requires proof that the respondent has seen the Petition for Divorce and has had a chance to answer. Notification or delivery of the Petition for Divorce to the respondent is called serving the document.

The petition must be served within six months of the date the document was filed with the Deputy Registrar. Once you receive the original Petition for Divorce from the Deputy Registrar, you have about six months to have the respondent notified or the document delivered to him.

You (the petitioner) are the only person who cannot serve the respondent with the Petition for Divorce.

There are various ways of serving the respondent with the Petition for Divorce. You have only to choose the method that best suits you:

a - personal service
b - service by certified mail
c - service by the Sheriff, or
d - substituted service.

a - Personal Service

A friend or relative serves the respondent with the Petition for Divorce.

Prepare the following documents:

- original Petition for Divorce with the marriage certificate and separation agreement attached,
- certified copy of the Petition for Divorce together with all documents (marriage certificate and separation agreement), and
- prepared Affidavit of Service with blank spaces to be filled out by the person serving the document. (See Example 1)

On the back of the last page of the Petition for Divorce, write the following:

> I _____ am the respondent named in the Petition for Divorce. I certify that I have received a copy of the Petition for Divorce.
>
> _____ _____
> Date Signature of respondent
>
> _____
> Signature of witness

You must give the person serving the document the original Petition for Divorce, the copy and the affidavit. You must tell that person where to find the respondent: residence or place of work.

The person must ask the respondent (your spouse) whether he is _____ (name) and ask him for a piece of identification - Social Insurance Number or driver's license. The person must describe the piece of identification and write down the number in the appropriate place on the affidavit.

The person must ask the respondent to sign and date the back of the original Petition for Divorce. The person must witness the respondent's signature.

The person gives the copy of the Petition for Divorce and the documents to the respondent.

The person fills in the blank spaces on the Affidavit of Service. The person must sign the Affidavit of Service in the presence of a commissioner of oaths. The commissioner of oaths signs in the appropriate space. Check with some lawyers' offices to find out how much they charge for this service.

The person gives the petitioner (you) the original Petition for Divorce and the Affidavit of Service.

b - Service by Certified Mail

A friend or relative serves the respondent with the Petition for Divorce by certified mail.

Prepare the following documents:

- certified copy of the Petition for Divorce with attached documents (marriage certificate and separation agreement),
- Affidavit of Service (See Example 2),
- Acknowledgement of Receipt Card (See Example 3).

Ask the person to send the certified copy of the Petition for Divorce, the documents, and the Acknowledgement of Receipt Card by certified mail. (approx. $2.)

When the person receives the Acknowledgement of Receipt Card or the post office receipt, he or she must fill out the Affidavit of Service and sign it in the presence of a commissioner of oaths. The Acknowledgement of Receipt Card or the post office receipt must be attached to the Affidavit of Service. After signing the Affidavit, the person gives it to you.

c - Service by Sheriff

Write a letter to the Sheriff ask them to serve the respondent with the Petition for Divorce. (See Example 4) Provide the following information: home address and telephone number, and business address and telephone number. If possible, provide a photograph. You must attach the following to the letter:

- original Petition for Divorce on the back of which you have written:

I,_____, am the respondent named in the Petition for Divorce. I certify that I have received a copy of the Petition for Divorce.

_____ Date

_____ Signature of respondent

- certified copy of the Petition for Divorce, and

- cheque or money order in the amount of $60.00 made payable to the MINISTER OF FINANCE.

Send the letter and the documents to the Sheriff's office by registered mail. The cost is approximately $3. The Sheriff will serve the respondent with the Petition for Divorce. They will have the respondent sign the original Petition for Divorce and give a certified copy to him.

The Sheriff will complete a form called a certificate of Service by Sheriff (they prepare it, not you), which they will send to you with the original Petition for Divorce.

Keep the originals of the Petition for Divorce and the Certificate of Service by Sheriff.

d - Substituted Service

If you do not know where to find the respondent, it is impossible to serve him personally with the documents. Under these circumstances, you must apply to the court for a substituted service judgment. The judgment allows service to be made either by publishing a notice in a newspaper or by posting the documents in Clerk's Office in the area where the respondent is thought to be.

If you are in this situation, you must retain a lawyer.

Example 1
a - Personal Service

Court File Number 1301-0000

In The Court of Queen's Bench of New Brunswick
Family Division
Judicial District of Moncton

Between:

Esther Page
Petitioner

- and -

Jonathan Page
Respondent

Affidavit of Service

I, Jane Smith, of 000 Main Street in the city of Moncton, in the County of Westmorland, in the Province of New Brunswick, teacher, make oath and say as follows:

1. On the _____ day of _____, 19___, I served the respondent with the attached Petition for Divorce marked "A" by leaving a copy with him at 57 Lilac Street, Moncton, New Brunswick.

2. I was able to identify the person served by means of the fact that the respondent admitted to being Jonathan Page, spouse of Esther Page. The respondent showed me his New Brunswick driver's license in the name of Jonathan Page, number 777777, bearing the respondent's signature, which is the same as the signature on the back of the original Petition for Divorce.

or

The respondent showed me his Social Insurance card, number 111 222 333, bearing the respondent's signature, which is the same as the signature on the back of the original Petition for Divorce.

SWORN before me at
_____, in the County of Westmorland,
In the Province of New Brunswick,
this _____ day of _____,
19 ___.

_____ _____
Commissioner of Oaths Jane Smith

Example 2
b - Service by Certified Mail

Court File Number 1301-0000

In The Court of Queen's Bench of New Brunswick
Family Division
Judicial District of Moncton

Between:

Esther Page
Petitioner

- and -

Jonathan Page
Respondent

Affidavit of Service

I, Jane Smith, of 000 Main Street in the city of Moncton, in the County of Westmorland, in the Province of New Brunswick, teacher, make oath and say as follows:

1. On the _____ day of _____, 19___, I served the respondent with the attached document marked "A" by sending a copy of the document (together with the Acknowledgement of Receipt Card)[1] by certified mail addressed to the respondent at 57 Lilac Street, Moncton, New Brunswick, his last known address.

3. On the _____ day of _____, 19___, [the attached Acknowledgement of Receipt Card or][2] [post office receipt][3] marked "B" bearing a signature which appears to be the signature of the respondent was returned to and received by me.

SWORN before me at
_____,
in the County of Westmorland,
in the Province of New Brunswick, this
_____ day of_____,
19____.

_____ _____
Commissioner of Oaths Jane Smith

Notes

1 If you decide to include an Acknowledgement of Receipt Card, you must add what is written in brackets.

2,3 You must decide which of the two methods you are going to use. Write down your choice and omit the other.

Example 3

Court File Number 1301-0000

In The Court of Queen's Bench of New Brunswick
Family Division
Judicial District of Moncton

Between:

Esther Page
Petitioner

- and -

Jonathan Page
Respondent

Acknowledgement of Receipt Card

TO:

You are served by mail with the documents enclosed with this card pursuant to the Rules of Court.

You MUST complete and sign the acknowledgement below and mail this card within 3 days of the date you receive it or you may have to pay the costs of the Sheriff or some other person serving you personally.

Acknowledgement of Receipt

I hereby acknowledge that on the _____ day of _____, 19___, I received the following documents:

a) copy of the Petition for Divorce together with attached documents.

b) financial statement.

_____
Jonathan Page

The full address of the sender appears on the reverse side of the Acknowledgement of Receipt Card. Do not forget to put a stamp on the card before mailing it.

Example 4
c - Service by Sheriff

2 Poplar Street
Moncton, N.B.
E1C 1A1

_____, 19___

Sheriff's Office

Please find enclosed the original and a copy of the Petition for Divorce together with a cheque in the amount of $60.00 to cover the cost of service.

The person to be served is the respondent/spouse JONATHAN PAGE.

The respondent resides at 57 Lilac Street, Moncton. He works at Electric Entreprises, 12 Lamp Street, Moncton. His telephone number at home is 888-5555, and at work, 888-3456. Enclosed is a photograph of the respondent Jonathan Page.

Yours truly,

Esther Page

enc.

Step 5 The hearing or the assessment of request

After the respondent has been served with the documents, you must wait the prescribed amount of time to allow for an answer to be filed:

- If service was made in New Brunswick, the respondent must answer within 20 days of the date of service;
- If service was made elsewhere in Canada or in the United States, the respondent must answer within 40 days of the date of service; or
- If service was made elsewhere in the world, the respondent must answer within 60 days of the date of service.

If the respondent does not file an answer within the prescribed time, it means that he is not contesting the divorce. You may then proceed with the setting down for trial (obtaining a hearing date or having your application assessed).

In New Brunswick, at this stage of the proceeding, there are two possibilities:

- a divorce hearing, or
- affidavit evidence. If this method is used, it is not necessary to go before a judge, because all of the evidence is provided by affidavit. CAUTION: Even if you proceed in this manner, the judge may still require a hearing, particularly if the evidence is unclear and information is lacking.

A trial record must be prepared, no matter which procedure is used. The trial record includes:

- a cover page called the "Trial Record" (see Example 5),
- an index (see Example 6),
- the original Petition for Divorce together with attached documents (marriage certificate, separation agreement & financial statement)
- the Affidavit of Service,
- the Clearance Certificate from the Central Registry of Divorce Proceedings,
- the Judgment (relating to a division of marital property), if applicable. (see Example 8)

If you request a hearing, you must also include:

- a Certificate of Readiness (see Example 7).

If you use the procedure of affidavit evidence, you must also include:

- the Request for Divorce (see Example 9),
- the petitioner's affidavit sworn to 5 days before the trial record is filed. (see Example 10)

IMPORTANT: THIS AFFIDAVIT MUST BE SIGNED NOT MORE THAN 5 DAYS BEFORE THE TRIAL RECORD IS FILED WITH THE CLERK/ADMINISTRATOR.

The petitioner's affidavit (see Example 10) must:

a - identify the parties to the divorce proceeding and establish that one of the parties was ordinarily resident in New Brunswick for at least one year immediately preceeding the date on which the proceeding was commenced,

b - provide the respondent's last known address and state the means by which the address was known,

c - contain sufficient information for the court to satisfy itself that

(i) there is no possibility of the reconciliation of the spouses, or

(ii) the circumstances of the case are of such a nature that it would clearly not be appropriate for the court to satisfy itself with respect to clause (i),

d - confirm that all of the information in the Petition for Divorce is correct, except as specified in the affidavit,

e - if no certificate of marriage is attached to the Petition for Divorce, exhibit a certificate of marriage or state

(i) what efforts have been made to obtain a certificate and why it is impossible to obtain one,

(ii) the date and place of marriage, and

(iii) sufficient facts to prove the marriage,

f - set out particulars of the grounds for divorce.

g - state that there has been no agreement or conspiracy to which the petitioner is either directly or indirectly a party for the purpose of subverting the administration of justice, including any agreement, understanding or arrangement to fabricate or suppress evidence or to deceive the court,

h - where a divorce is sought in circumstances described in paragraph 8(2)(b) [adultery or mental or physical cruelty] of the Act, state that the petitioner has not condoned or connived at the act or conduct complained of, or, if there has been condonation or connivance on the part of the petitioner, set out the circumstances that indicate that the public interest would be better served by granting the divorce,

i - provide particulars of the present and proposed custody and access arrangements with respect to each child of the marriage, if different from those set out in the petition,

j - if the petitioner claims support, provide particulars of his or her and the children's needs and of the respondent's means, with reference to the Financial Statements filed in the action, and set out particulars of any change in circumstances since the Financial Statements were filed,

k - if the petitioner does not claim a division of property, confirm that they do not wish to claim a division of property at this time and state that they are aware that no application for a division of property under the Marital Property Act shall be made later than 60 days after the divorce takes effect except under the circumstances set out in subsection 3(4) of the Marital Property Act,

l - if the petitioner wishes to include in the judgment provisions of a domestic contract, separation agreement, minutes of settlement, previous court order or any other document, refer to the document as an exhibit and refer to the specific provisions to be included,

m - if the petitioner claims costs, set out sufficient facts to enable the court to determine whether costs should be awarded, and

n - if the petitioner seeks to have the divorce take effect earlier that the thirty-first day after the day on which the judgment is rendered, set out the special circumstances that justify the earlier effective date, and attach as an exhibit the parties' Agreement Not to Appeal (Form 72L).

(Taken in full from Rule 72.18(9) of the Rules of Court of New Brunswick).

All of the documents are now ready. Put them in order. You may staple them together or fasten them with a paper clip. The trial record is now complete. DO NOT FORGET TO KEEP A COPY FOR YOURSELF.

Prepare a letter (see example) for the clerk/administrator of the court. At this point, the documents are sent to the clerk/administrator of the Court of Queen's Bench, Family Division in your judicial district (see addresses in Appendix 2). The letter and trial record may be sent by registered mail or you may deliver them in person to the clerk/administrator of Family Division.

Two to four weeks after the documents are received at the office of the clerk/administrator, you will receive a hearing date, if you have opted for this procedure. You will receive a notice indicating the date, time, court room, and name of the judge.

If you proceed by affidavit evidence, the documents received by the office of the clerk/administrator will be checked to ensure that they are in order. (See Step 7).

Step 6 Attend the hearing

Once you receive notice of the date and time of the hearing, you must prepare for the hearing.

Reread all of the documents filed with the clerk/administrator. Know what is in the documents.

Dress appropriately for the hearing (no jeans) and have a copy of all of your documents in order. When the judge enters, you must rise. When the judge speaks to you, always answer with "Your Lordship."

At the hearing, the Sheriff will call out your name. You must rise. The judge will then ask whether you are being represented by a lawyer. After confirming that you are acting on your own behalf, the judge will ask you to take the witness stand. You will be asked to swear an oath that you are speaking the truth.

The judge will ask you:

- to confirm your name and address,
- whether you are the petitioner,
- whether there is any possibility of reconciliation,
- to prove that that there was a breakdown of the marriage,
- questions about custody and access arrangements for the children of the marriage, support arrangements for the children, and the division of marital property. If all of these issues are clearly settled in the Separation Agreement, you should have no problems at the hearing.

Step 7 Obtain your Divorce Judgment

a - Divorce on the basis of a hearing

When the judge is satisfied that there was a breakdown of the marriage and that appropriate arrangements for access and child support have been made, he will render a judgment granting the divorce and any corollary relief orders (custody, support, and division of marital property).

The judge will send your trial record to the Registrar of The Court of Queen's Bench in Fredericton. The Registrar will prepare the Divorce Judgment and the Order for Corollary Relief. The Registrar will send you these documents (see Examples 11 & 12).

b - Divorce on the basis of affidavit evidence

The administrator/clerk submits the trial record to the judge. The judge checks the documents and ensures that the information and claims comply with the requirements of the Divorce Act, 1985. If all of the documents are present and the information provided is accurate and complete to support the request for divorce and corollary relief (custody, visiting and support arrangements), the judge will render a judgment granting the divorce. He writes it in the trial record.

The trial record is sent to the Registrar of The Court of Queen's Bench in Fredericton, who sends you the Divorce Judgment together with any corollary relief orders.

Step 8 Request your Certificate of Divorce

The Certificate of Divorce is an official document indicating that the marriage has ended. It is the only document that proves that the divorce has become effective. (see Example 14)

To obtain this certificate, you must apply to the Office of the Registrar of The Court of Queen's Bench in Fredericton. After the hearing granting your divorce or after you have received the Divorce Judgment, you may send a letter (see Example 13) to the Registrar with a cheque or money order in the amount of $7.00 payable to the MINISTER OF FINANCE. Send your request to the following address:

Deputy Registrar
Court of Queen's Bench
Justice Building, Queen Street
P.O. Box 6000
Fredericton, N.B.
E3B 5H1

Sample Covering Letter

2 Poplar Street
Moncton, N.B.
E1C 1A1
Tel.: 888-0000

_____, 19___

_____, Administrator
The Court of Queen's Bench
Family Division

RE: Esther Page and Jonathan Page
Court File Number 1301-0000

Please find enclosed, for the purpose of setting down for trial or assessment of the Request for Divorce, the trial record in the abovementioned case.

Yours truly,

Esther Page

enc.

Example 5

Court File Number 1301-0000

In The Court of Queen's Bench of New Brunswick
Family Division
Judicial District of Moncton

Between:

Esther Page
Petitioner

- and -

Jonathan Page
Respondent

Trial Record

Esther Page, Petitioner
2 Poplar Street
Moncton, N.B.
E1C 1A1
Telephone: 888-0000

Jonathan Page, Respondent
57 Lilac Street
Moncton, N.B.
E1C 3B3
Telephone: 888-5555

Example 6

Court File Number 1301-0000

In The Court of Queen's Bench of New Brunswick
Family Division
Judicial District of Moncton

Between:

Esther Page
Petitioner

- and -

Jonathan Page
Respondent

Index

(for hearing)
1. Petition for Divorce of Esther Page
2. Affidavit of Service of the Petition for Divorce on the Respondent Jonathan Page
3. Clearance Certificate from the Central Registry of Divorce Proceedings
4. Certificate of Readiness
5. Judgment (relating to a division of marital property)

or

(for affidavit evidence)
1. Petition for Divorce of Esther Page
2. Affidavit of Service of the Petition for Divorce on the Respondent Jonathan Page
3. Clearance Certificate from the Central Registry of Divorce Proceedings
4. Request for Divorce
5. Affidavit of the Petitioner Esther Page
6. Judgment (relating to a division of marital property)

Example 7

Court File Number 1301-0000

In The Court of Queen's Bench
Family Division
Judicial District of Moncton

Between:

Esther Page
Petitioner

- and -

Jonathan Page
Respondent

Certificate of Readiness

I, Esther Page, petitioner, certify that I believe all pre-trial procedures have been completed and that we are now ready to proceed to trial.

Having consulted with the respondent, I inform the court that:

a) we estimate the trial of the action will take 15 minutes;
b) the parties intend to use the English language;
c) the services of an interpreter will not be required.

DATED in Moncton, New Brunswick, this _____ day of _____, 19___.

_____
Esther Page, Respondent

Example 8

Court File Number 1301-0000

In The Court of Queen's Bench of New Brunswick
Family Division
Judicial District of Moncton

Between:

Esther Page
Petitioner

- and -

Jonathan Page
Respondent

Judgment

(Relating to a division of marital property adjudicated upon in a divorce proceeding)

WHEREAS a claim was made under the Marital Property Act in the within divorce proceeding;

AND WHEREAS the office of the Registrar lacks the legislative or the jurisdictional authority to receive and deal with the judgments of the Court under the Marital Property Act;

THE COURT DOTH HEREBY ORDER AND DECLARE that the Separation Agreement dated the ____ day of _____, 19___ between the petitioner and the respondent and filed as evidence constitutes, for all intents and purposes, a Judgment of the Court. A copy of the Separation Agreement is hereto attached.

DATED at Moncton, New Brunswick, this _____ day of _____, 19__.

_____
Justice of the Court of Queen's Bench, Family Division

WE AGREE to this judgment:
Signed this _____ day of
_____, 199__, in the
presence of

_____
Solicitor/Commissioner of Oaths

_____
Esther Page

Signed this _____ day of
_____, 199__, in the
presence of

_____
Solicitor/Commissioner of Oaths

_____
Jonathan Page

NOTE: Both respondent and petitioner must sign the judgment before it can be included in the trial record. When the judge signs the judgment, the parties must have already signed their consent.

Example 9

Court File Number 1301-0000

In The Court of Queen's Bench of New Brunswick
Family Division
Judicial District of Moncton

Between:

Esther Page
Petitioner

- and -

Jonathan Page
Respondent

Request for Divorce

TO THE ADMINISTRATOR OF THE COURT:

1. I request that this proceeding be considered under Rule 72.18 on the basis of affidavit evidence.

2. Service of the Petition for Divorce was effected by Jane Smith, teacher, or the Sheriff/Deputy Sheriff on the _____ day of _____, 19___.

3. The respondent has not filed an Answer.

4. The respondent's address is 57 Lilac Street, Moncton, New Brunswick, E1C 3B3.

5. The affidavit evidence to be considered with my Petition for Divorce is attached.

6. The petitioner's address is 2 Poplar Street, Moncton, New Brunswick, E1C 1A1.

DATED at Moncton, New Brunswick, this _____ day of _____, 19__.

_____
Esther Page, Petitioner

Example 10

Court File Number 1301-0000

In The Court of Queen's Bench
Family Division
Judicial District of Moncton

Between:

Esther Page
Petitioner

- and -

Jonathan Page
Respondent

Affidavit

I, Esther Page, of the city of Moncton, of the County of Westmorland, in the Province of New Brunswick, swear as follows:

1. I am the petitioner named in the Petition for Divorce dated the _____ day of _____, 19___.

2. The respondent Jonathan Page is an electrician and resides at 57 Lilac Street in the city of Moncton in the Province of New Brunswick. This address is known to me as that is where I contact the respondent to discuss matters relating to the children.

3. I have been ordinarily resident in New Brunswick for at least one year immediately preceding the date on which the Petition for Divorce was filed.

4. There is no possibility of reconciliation of the spouses, because we have been living separate and apart since January 29, 1989, with the intention of living separate and apart.

5. I confirm that all the information in the Petition for Divorce is correct.

6. A certificate of marriage is attached to the Petition for Divorce.

7. I am seeking a divorce because there has been a breakdown of the marriage. The spouses have been living separate and apart since January 29, 1989 with the intention of living separate and apart in accordance with paragraph 8(2)(a) of the Divorce Act, 1985.

8. I am not directly or indirectly a party to any agreement or conspiracy to subvert the administration of justice, including any agreement, understanding or arrangement to fabricate or suppress evidence or to deceive the court.

9. There is a separation agreement between the parties dated the ____ day of _____, 19____. The Separation Agreement stipulates that I have custody of the children of the marriage and that the respondent has visiting rights as set out in clause(s) _____ of the Separation Agreement. The petitioner seeks to have the provisions of clause(s) _____ of the Separation Agreement included in the Divorce Judgment.

10. I seek to have the support arrangements for the children of the marriage, as set out in clause(s) _____ of the Separation Agreement dated the ____ day of _____, 19___, included in the Divorce Judgment.

11. I claim a division of the marital property as set out in clause(s) _____ of the Separation Agreement dated the _____ day of _____, 19____. To this effect, a Judgment relating to a division of marital property is hereto attached.

12. I wish to include in the Divorce Judgment the provisions of clauses _____ of the Separation Agreement dated the _____ day of _____, 19____. The Separation Agreement is hereto attached.

13. I am not claiming costs.

14. I read the Petition for Divorce when I signed it and I have just reread it. I confirm that all of the information in the Petition for Divorce is correct except as set out in this affidavit.

SWORN before me at
Moncton, in the County of Westmorland,
in the Province of New Brunswick,
this _____ day of
_____, 19___.

_____ _____

Commissionner of Oaths Esther Page

Example 11
You do not prepare this form

Registrar's File Number 1301-0000

In The Court of Queen's Bench of New Brunswick
Family Division
Judicial District of Moncton

Between:
Esther Page
Petitioner

- and -

Jonathan Page
Respondant

Divorce Judgment

This divorce proceeding having been tried by the Court at Moncton, New Brunswick before the Honourable _____ Justice _____ and the Court having on the _____ day of _____, 19___, rendered a judgment granting a divorce;

It is ordered that the petitioner and the respondent whose marriage was solemnized at _____ on the _____ day of _____, 19___, be divorced effective the _____ day of _____, 19___.

Dated at Fredericton, N.B., this _____ day of _____, 19__.

_____
- Deputy Registrar

NOTE:

NEITHER SPOUSE IS FREE TO REMARRY AS A RESULT OF THIS JUDGMENT UNTIL IT TAKES EFFECT. IF EITHER PARTY APPEALS THE JUDGMENT THE EFFECTIVE DATE WILL BE POSTPONED. THIS DOCUMENT SHOULD NOT BE ACCEPTED AS PROOF THAT THE DIVORCE HAS BECOME EFFECTIVE. ANYONE REQUIRING SUCH PROOF MAY OBTAIN A CERTIFICATE OF DIVORCE FROM THE REGISTRAR OF THE COURT.

Example 12
You do not prepare this form

Registrar's File Number 1301-0000

In The Court of Queen's Bench of New Brunswick
Family Division
Judicial District of Moncton

Between:

Esther Page
Petitioner

- and -

Jonathan Page
Respondent

Order for Corollary Relief

The Court, having granted a divorce in this proceeding, makes the following order for corollary relief:

1. THAT custody and visiting rights be in accordance with the provisions of clause(s) _____ of the Separation Agreement dated the _____ day of _____, 19___, a copy of which is hereto attached and shall be part of this order until a further order from the Court.

2. THAT support arrangements be in accordance with the provisions of clause(s) _____ of the Separation Agreement dated the _____ day of _____, 19___, a copy of which is hereto attached and shall be part of this order until a further order from the Court.

DATED at Fredericton, New Brunswick this ____ day of _____, 19___.

_____
Deputy Registrar

Example 13

2 Poplar Street
Moncton, N.B.
E1C 1A1

_____, 19___

Deputy Registrar
Court of Queen's Bench
Justice Building, Queen Street
P.O. Box 6000
Fredericton, N.B.
E3B 5H1

RE: Esther Page and Jonathan Page
Court File Number 1301-0000

You will find enclosed a cheque in the amount of $7.00 to cover the fee for a Certificate of Divorce in the divorce proceeding of Esther Page and Jonathan Page, court file number 1301-0000.

Please send me the Certificate of Divorce at the above address.

Yours truly,

Esther Page

enc.

Example 14
You do not prepare this document

Court File Number 1301-0000

In The Court of Queen's Bench
Family Division
Judicial District of Moncton

Between:

Esther Page
Petitioner

- and -

Jonathan Page
Respondent

Certificate of Divorce
In The Court of Queen's Bench
of New Brunswick

This is to certify that the marriage of Esther Page and Jonathan Page which was solemnized at Moncton on the 12th day of May, 1981, was dissolved by a divorce which became effective on the _____ days of _____, 19___.

DATED at Fredericton, N.B., this _____ day of _____, 19___.

_____
Registrar of The Court of Queen's
Bench of New Brunswick

E Appendices

APPENDIX 1
List of Addresses Where Marriage Certificates May Be Obtained

Province	Address
Alberta	Alberta Social Services and Community Health Vital Statistics Division 10130 - 112 Street Edmonton, Alberta T5K 2K4
British Columbia	Division of Vital Statistics 6th Floor - 1515 Blanshard Street Victoria, British Columbia V8W 3C8
Manitoba	Vital Statistics 254 Portage Avenue, Main Floor Winnipeg, Manitoba R3C 0B6
New Brunswick	Department of Health and Community Services Vital Statistics P.O. Box 6000 Fredericton, New Brunswick E3B 5H1
Newfoundland	Registrar, Vital Statistics Department of Health Confederation Building St. John's, Newfoundland A1C 5T7
Northwest Territories	Registrar of Vital Statistics Government of the Northwest Territories P.O. Box 1320 Yellowknife, Northwest Territories X0E 1H0
Nova Scotia	Deputy Registrar General Department of Health P.O. Box 157 Halifax, Nova Scotia B3J 2M9

Ontario	Office of the Registrar General MacDonald Block, Queen's Park Toronto, Ontario M7A 1Y5
Prince Edward Island	Director of Vital Statistics Department of Health and Social Services P.O. Box 200 Charlottetown, Prince Edward Island C1A 7N8
Quebec	Ministère de la Justice Registre du référence 300 boul. Jean-Lesage Québec, Québec (Marriage certificates are issued by the office of the Archives de l'état civil in the judicial district where the marriage was registered. The Quebec office will provide you with the address of the local office you must write to).
Saskatchewan	Director, Vital Statistics Department of Health 3475 Albert Street Regina, Saskatchewan S4S 6X6
Yukon Territory	Deputy Registrar of Vital Statistics Government of Yukon Territory P.O. Box 2703 Whitehorse, Yukon Territory Y1A 2C6

APPLICATION FOR CERTIFICATE OF BIRTH, MARRIAGE OR DEATH

DEPARTMENT OF HEALTH AND COMMUNITY SERVICES
VITAL STATISTICS
P.O. BOX 6000, FREDERICTON, N.B.
E3B 5H1

Please read notes on the reverse of this form.
Please print all information clearly.

DEMANDE DE CERTIFICAT DE NAISSANCE, DE MARIAGE OU DE DÉCÈS

MINISTÈRE DE LA SANTÉ ET DES SERVICES COMMUNAUTAIRES
STATISTIQUES DE L'ÉTAT CIVIL
C.P. 6000, FREDERICTON (N.-B.)
E3B 5H1

Prière de lire les remarques au verso
Prière d'écrire clairement en lettres moulées

36-2282 (12/89)

Name And Mailing Address of Applicant / Nom et l'adresse postale du demandeur

Name / Nom: Esther PAGE
Address / Adresse: 2 Poplar Street
City / Ville: Moncton
Province: N. B.
Postal Code postal: E1C 1A1

If Birth Certificates Required, Complete This Section / Pour obtenir un (des) certificat(s) de naissance, veuillez remplir

Surname (if married woman, maiden surname) / Nom de famille ou nom de jeune fille si vous êtes mariée:
Given Names / Prénoms:
Medicare No. / N° d'assurance-maladie:
Birth Date / Date de naissance — Yr. / Année | Month / Mois | Day / Jour:
Sex / Sexe:
Place of Birth / Lieu de naissance:
County / Comté:
NB
Surname of Father / Nom de famille du père:
Given Names / Prénoms:
Maiden Surname of Mother / Nom de jeune fille de la mère:
Given Names / Prénoms:

If Marriage Certificates Required, Complete This Section / Pour obtenir un (des) certificat(s) de mariage, veuillez remplir cette partie

Surname of Bridegroom / Nom de famille de l'époux: PAGE
Given Names / Prénoms: Jonathan
Medicare No. / N° d'assurance-maladie: 000 000
Maiden Surname of Bride / Nom de jeune fille de l'épouse: FERRÉ
Given Names / Prénoms: Esther
Medicare No. / N° d'assurance-maladie: 111 111
Date of Marriage / Date du mariage — Yr. / Année: 1981 | Month / Mois: 05 | Day / Jour: 12
Place of Marriage / Lieu du mariage: Moncton
NB

If Death Certificates Required, Complete This Section / Pour obtenir un (des) certificat(s) de décès, veuillez remplir cette partie

Surname of Deceased / Nom de famille du défunt:
Given Names / Prénoms:
Sex / Sexe:
Medicare No. / N° d'assurance-maladie:
Date of Death / Date du décès — Yr. / Année | Month / Mois | Day / Jour:
Place of Death / Lieu du décès:
NB
If deceased was married give name of spouse / Si le défunt était marié, indiquez le nom du conjoint:
Name of Father of Deceased / Nom de famille du père du défunt:
Maiden Name of Mother of Deceased / Nom de jeune fille de la mère du défunt:

Indicate the Type and Number of Certificates Required / Indiquez le genre et le nombre de certificats requis

	Certified / Certifié	Wallet Size / Format-poche	Photographic Print / Épreuve photographique	Genealogical Statement / Déclaration Généalogique
Birth / Naissance				
Marriage / Mariage	1			
Death / Décès				

☑ In English / en anglais
☐ In French / en français

Fee Enclosed / Montant inclus: $15.00

Relationship to Person Named / Liens de parenté avec le personne nommée:
Reason for Application / Raison de la demande: divorce
Telephone / Téléphone: 888-0000
Signature of Applicant / Signature du demandeur: Esther Page

OFFICE USE ONLY / A L'USAGE DU BUREAU SEULEMENT	Registration Number / Numero d'enregistrement	Date Issued / By / Date d'émission / Par	Checked By / Verifié par

IMPORTANT

Payment must be enclosed with Application

Since it is against postal regulations to send cash through the mail, payment should be forwarded by *CHEQUE* or *MONEY ORDER* made payable to the *MINISTER OF FINANCE*.

Mail applications and payment to:

Vital Statistics
Department of Health and Community Services
P.O. Box 6000, Fredericton, N.B.
E3B 5H1

NOTES

1. Certificates can only be issued for births, marriages and deaths which occured in New Brunswick.
2. **Birth Certificates:**

(a) Wallet-sized certificates include the following information: Surname and given names of individual, date of birth, place of birth, sex, registration date, registration number, and date issued.

(b) Certified certificates include all of the above information plus the names of the parents and the Province or Country of the parents' birth.

(c) For married women birth certificates are issued in maiden name.

3. **Marriage Certificates:**

(a) Wallet-sized certificates include the following information: Name of the bride, name of the bridegroom, date of marriage, place of marriage, registration number, registration date and date issued.

(b) Certified certificates include all of the above information plus the Province or County of the bride's and bridegroom's birth.

(c) A restricted photographic print of a marriage registration is available upon written consent of one of the parties.

4. **Death Certificates:**

Only certified certificates issued which include the name of deceased, sex, date of death, place of death, date of birth, province or country of birth, registration date, registration number and date issued.

5. **Fees:**

(a) Certified certificates $15.00.

(b) Wallet-size certificates $10.00.

(c) Photographic print of a marriage record $15.00.

(d) Genealogical Statement of particulars of birth, marriage and death registrations $15.00.

IMPORTANT

Le paiement doit être joint à la demande.

Puisque les règlements postaux interdisent d'envoyer de l'argent comptant par la poste, veuillez envoyer un *CHÈQUE* ou un *MANDAT-POSTE* établi à l'ordre du *MINISTRE DES FINANCES*.

Faire parvenir vos demandes et votre chèque à la:

Statistiques de l'état civil
Ministère de la Santé et des Services communautaires
C.P. 6000, Fredericton (N.-B.)
E3B 5H1

REMARQUES

1. Les certificats ne peuvent être émis que pour les naissances, les mariages et les décès qui ont eu lieu au Nouveau-Brunswick.
2. **Certificats de naissance:**

(a) Les certificats format-poche comprennent les renseignements suivants: Le nom de famille et les prénoms du particulier, la date de naissance, le lieu de naissance, le sexe, la date et le numéro d'enregistrement et la date d'émission.

(b) Un certificat certifié comprend tous les renseignements ci-dessus ainsi que les noms des parents et le nom de la province ou du pays où ils sont nés.

(c) Lorsqu'il s'agit d'une femme mariée, le certificat est émis sous son nom de jeune fille.

3. **Certificats de mariage:**

(a) Les certificats format-poche comprennent les renseignements suivants: nom de l'époux, nom de l'épouse, date du mariage, lieu du mariage, numéro et date d'enregistrement et la date d'émission.

(b) Un certificat certifié comprend tous les renseignements ci-dessus ainsi que la province ou pays de naissance de l'époux et de l'épouse.

(c) Une épreuve photographique limitée d'un enregistrement de mariage ne peut être émise sans le consentement écrit de l'une des deux parties.

4. **Certificats de décès:**

Les certificats de décès ne sont délivrés que sous forme de copies certifiées. Une copie certifiée comprend les renseignements suivants: nom du défunt(te), sexe, date du décès, lieu du décès, date de naissance, province ou pays de naissance, date et numéro d'enregistrement et date d'émission.

5. **Montant à débourser:**

(a) Certificat certifié - 15 $.

(b) Certificat format-poche - 10 $.

(c) Epreuve photographique d'un acte de mariage - 15 $.

(d) Déclaration généalogique de renseignements sur un enregistrement de naissance, un mariage ou un décès - 15 $.

APPENDIX 2
List of Judicial Districts in New Brunswick

Name	Address	Telephone No.
Bathurst	Court of Queen's Bench, Family Division P.O. Box 5001, 254 St. Patrick Street Bathurst, N.B. E2A 3Z9 Administrator: Donald Arseneau	547-2152
Campbellton	Court of Queen's Bench P.O. Box 5001, 157 Water Street Campbellton, N.B. E3N 3H5 Administrator/Clerk: Lucien LeBlanc	753-7532
Edmundston	Court of Queen's Bench P.O. Box 5001 Edmundston, N.B. E3V 3L3 Administrator/Clerk: Jean-Marie Goguen	735-2029
Fredericton	Court of Queen's Bench, Family Division P.O. Box 6000 Fredericton, N.B. E3B 5H1 Administrator: Beth Nicholas	453-2015
Moncton	Court of Queen's Bench, Family Division P.O. Box 5001, 770 Main Street Moncton, N.B. E1C 8R3 Administrator: David Léger	856-2305
Newcastle	Court of Queen's Bench 599 King George Highway Newcastle, N.B. E1V 1N6 Administrator/Clerk: Shelley Williams	622-4701
Saint John	Court of Queen's Bench, Family Division P.O. Box 6398, Station "A" Saint John, N.B. E2L 4R8 Administrator: Janet A. Steeves	658-2400
Woodstock	Court of Queen's Bench P.O. Box 5001, 689 Main Street Woodstock, N.B. E0J 2B0 Clerk: Jean Sewell	328-6931

Appendix 3

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Court File Number / N° du dossier 1301 -0000

IN THE COURT OF QUEEN'S BENCH OF NEW BRUNSWICK

FAMILY DIVISION

JUDICIAL DISTRICT OF Moncton [1]

BETWEEN:

Esther PAGE [2]
PETITIONER

- and -

Jonathan PAGE
RESPONDENT

COUR DU BANC DE LA REINE DU NOUVEAU-BRUNSWICK

DIVISION DE LA FAMILLE

CIRCONSCRIPTION JUDICIAIRE DE .....

ENTRE:

REQUÉRANT

- et -

INTIMÉ

PETITION FOR DIVORCE (FORM 72A)

(N.B. In completing this form, use full width of page in space provided where possible, irrespective of official language used. If space is insufficient, use additional page.)

TO: *(Insert names and addresses of respondent and person(s) named.)*

Jonathan Page [3]
57 Lilac Street
Moncton, N.B.
E1C 3B3

A LEGAL PROCEEDING FOR A DIVORCE HAS BEEN COMMENCED AGAINST YOU BY THE PETITIONER. THE CLAIM MADE AGAINST YOU APPEARS IN THE FOLLOWING PAGES.

If you wish to defend this proceeding, you or a New Brunswick lawyer acting for you must prepare your Answer in Form 72D and serve it on the petitioner or the petitioner's lawyer and file it in this Court office,

(a) if you are served in New Brunswick, WITHIN 20 DAYS after service on you of this Petition for Divorce, or

(b) if you are served out of New Brunswick but elsewhere in Canada or in the United States of America, WITHIN 40 DAYS after such service on you, or

(c) if you are served anywhere else WITHIN 60 DAYS after such service on you.

If this Petition for Divorce contains a claim for support or support and division of property, you must within the same time, file your Financial Statement in the form prescribed by the Rules of Court, whether or not you wish to defend this proceeding.

IF YOU FAIL TO SERVE AND FILE AN ANSWER, A DIVORCE MAY BE GRANTED IN YOUR ABSENCE AND, WITHOUT FURTHER

REQUÊTE EN DIVORCE (FORMULE 72A)

(N.B.: En remplissant cette formule, veuillez employer la largeur totale de la page dans les espaces accordés, si possible, quelque soit la langue officielle utilisée. Au besoin, employez des feuilles supplémentaires.)

DESTINATAIRES: *(Donner les noms et adresses de l'intimé et des tiers désignés.)*

UNE POURSUITE JUDICIAIRE EN DIVORCE A ÉTÉ ENGAGÉE CONTRE VOUS PAR LE REQUÉRANT. LA DEMANDE FAITE CONTRE VOUS EST ÉNONCÉE DANS LES PAGES SUIVANTES.

Si vous désirez contester cette poursuite, vous-même ou un avocat du Nouveau-Brunswick chargé de vous représenter devrez préparer votre réponse au moyen de la formule 72D, la signifier au requérant ou à son avocat et la déposer au greffe de la cour:

a) DANS LES 20 JOURS de la signification qui vous sera faite de la présente requête en divorce, si elle vous est faite au Nouveau-Brunswick, ou

b) DANS LES 40 JOURS de la signification, si elle vous est faite dans une autre région du Canada ou dans les États-Unis d'Amérique, ou

c) DANS LES 60 JOURS de la signification, si elle vous est faite ailleurs.

Si la présente requête en divorce contient une demande d'ordonnance alimentaire ou une demande d'ordonnance alimentaire et de répartition des biens, vous devez, dans les mêmes délais, déposer un état financier en la forme prescrite par les règles de procédure, que vous désiriez contester ou non la poursuite.

SI VOUS OMETTEZ DE SIGNIFIER ET DE DÉPOSER UNE RÉPONSE, UN DIVORCE PEUT ÊTRE ACCORDÉ EN VOTRE ABSENCE ET, SANS

NOTICE TO YOU, JUDGMENT MAY BE GRANTED AGAINST YOU ON ANY OTHER CLAIM IN THIS PETITION AND YOU MAY LOSE YOUR RIGHT TO SUPPORT OR DIVISION OF PROPERTY.

If you fail to serve and file an Answer or a Financial Statement, you may be deemed to have admitted any claim made against you, and JUDGMENT MAY BE GIVEN AGAINST YOU IN YOUR ABSENCE.

You are advised that:

(a) you are entitled to issue documents and present evidence in the proceeding in English or French or both;

(b) the petitioner intends to proceed in the ..... 4 .....English..... language;

(c) you must indicate in your Answer the language in which you intend to proceed; and

(d) if you intend to proceed in or present evidence in the other official language, an interpreter may be required and you must so advise the court administrator at least 7 days before the trial.

You may inquire from this Court office the approximate date of the trial of this proceeding and the date and details of any divorce judgment or order granted.

Neither you nor your spouse is free to remarry as a result of this proceeding until a divorce judgment has become effective. Once a divorce judgement has become effective, you may obtain a certificate of divorce from this Court office.

THIS PETITION FOR DIVORCE is signed and sealed for the Court of Queen's Bench by the Deputy Registrar of the Court at Fredericton, on the

day of ,19 5

Deputy Registrar of the Court of Queen's Bench,
Justice Building, Queen Street,
P.O. Box 6000, Fredericton, N.B.,
E3B 5H1

PETITION FOR DIVORCE

(Strike out portions that are not applicable.)

CLAIM 6

The petitioner claims:

(a) a divorce;

1 (b) under the Divorce Act, 1985

(i) a custody order for the children of the marriage as agreed to in clause(s) ___ of the separation agreement dated ___ 19__, a copy of which is attached.

(ii) a support order for the children of the marriage as agreed to in clause(s) ___ of the separation agreement dated ___ 19__, a copy of which is attached.

AUTRE PRÉAVIS, UN JUGEMENT CONCERNANT TOUTE AUTRE DEMANDE CONTENUE DANS LA PRÉSENTE REQUÊTE POURRA ÊTRE RENDU CONTRE VOUS ET VOUS POURREZ PERDRE VOTRE DROIT À UNE ORDONNANCE ALIMENTAIRE OU À UNE RÉPARTITION DES BIENS.

Si vous omettez de signifier et de déposer une réponse ou un état financier, vous pourrez être réputé avoir accepté toute demande formulée contre vous et JUGEMENT POURRA ÊTRE RENDU CONTRE VOUS EN VOTRE ABSENCE.

Sachez que:

a) vous avez le droit dans la présente instance, d'émettre des documents et de présenter votre preuve en francais, en anglais ou dans les deux langues;

b) le requérant a l'intention d'utiliser la langue . ..

.....;

c) vous devrez indiquer dans votre réponse la langue que vous avez l'intention d'utiliser; et

d) si vous avez l'intention d'utiliser l'autre langue officielle ou de présenter votre preuve dans cette autre langue, les services d'un interprète pourront être requis et vous devrez en aviser le greffier au moins 7 jours avant le procès.

Vous pouvez obtenir du présent greffe la date approximative du procès, ainsi que la date et autres détails de tout jugement de divorce rendu ou ordonnance accordée.

Ni vous ni votre conjoint ne pouvez vous remarier suite à cette instance tant qu'un jugement de divorce n'aura pas pris effet. Dès que le jugement de divorce aura pris effet, vous pourrez obtenir un certificat de divorce du présent greffe.

LA PRÉSENTE REQUÊTE en divorce est signée et scellée au nom de la Cour du Banc de la Reine par le registraire adjoint de la Cour à Fredericton, ce

19

Registraire adjoint de la Cour du Banc de la Reine
Palais de Justice, rue Queen,
C.P. 6000
Fredericton, N.-B.,
E3B 5H1

REQUÊTE EN DIVORCE

(Rayez la mention inutile.)

DEMANDE

1 Le requérant demande:

a) un divorce;

b) en application de la Loi de 1985 sur le divorce

(c) under the Marital Property Act

c) en application de la Loi sur les biens matrimoniaux

(i) an order for division of marital property, as agreed to in clause (s) — of the separation agreement dated —— 19 —, a copy of which is attached.

(iii)

(iii)

(State precisely everything you want the Court to include in the divorce judgment. If you claim support or a division of property, set out the nature and amount of relief claimed and the amount of support claimed for each person. If you claim division of property that is not listed in an attached Financial Statement, attach a list of all property that you seek to have divided and set out your claim to each item of property. If you want to include provisions of a domestic contract, separation agreement, minutes of settlement, previous court order or any other document in the divorce judgment, attach a copy of the document and refer to the specific provisions to be included. If relief is claimed under any other Act, refer to the Act in the claim.)

(Énoncez de façon précise tout ce que vous désirez faire inclure dans le jugement de divorce. Si vous demandez une ordonnance alimentaire ou une répartition des biens, décrivez la nature et le montant de la mesure de redressement demandée ainsi que le montant des aliments réclamé pour chaque personne. Si vous demandez la répartition de biens qui ne sont pas mentionnés dans l'état financier annexé, annexez une liste de tous les biens qui feront l'objet de la répartition et établissez une demande relativement à chacun de ces biens. Si vous désirez inclure, dans le jugement de divorce, les dispositions d'un contrat domestique, d'une entente de séparation, le compte rendu d'un règlement amiable, une ordonnance antérieure de la cour ou tout autre document, annexez une copie du document et faites renvoi aux dispositions particulières à être incluses. Si une demande est faite pour une mesure de redressement en vertu de toute autre loi, faites renvoi à la loi dans votre demande.)

7

GROUNDS

2 (a) There has been a breakdown of the marriage by reason that: *(Check appropriate box or boxes.)*

☒ (i) the spouses have lived separate and apart since the 29th day of January, 1989 and are now living separate and apart.

☐ (ii) the respondent, on or about the ..... day of ....., 19....., committed adultery with .....

☐ (iii) the respondent has, since celebration of the marriage, treated the petitioner with physical or mental cruelty of such a kind as to render intolerable the continued cohabitation of the spouses.

(b) The particulars of the grounds for the divorce are: *(Set forth fully but concisely all the material facts relied on but not the evidence by which they may be proved.)*

MOTIFS

2 a) Il y a eu échec du mariage car: *(Cochez la ou les cases applicables.)*

☐ (i) les époux ont vécu séparément depuis le ..... 19..... et vivent séparément à l'heure actuelle.

☐ (ii) l'intimé a, le ou aux environs du ..... 19....., commis l'adultère avec .....

☐ (iii) l'intimé a, depuis la célébration du mariage, traité le requérant avec une cruauté physique ou mentale qui rend intolérable le maintien de la cohabitation.

b) Les détails des motifs du divorce sont les suivants: *(Énoncez de façon complète et concise les faits déterminants sur lesquels repose la demande mais non les moyens de preuve à l'appui.)*

The spouses live separate and apart since January 29, 1989. The spouses both agreed to the separation or (the petitioner / respondent wanted to separate).

8

RECONCILIATION

3 (a) There is no possibility of reconciliation of the spouses.

(b) *(Where applicable)* The following efforts to reconcile have been made:

The spouses attempted to reconcile and went to marriage counselling with a counsellor at Family Services Moncton in March + April 1989.

RÉCONCILIATION

3 a) Il n'y a aucune possibilité de réconciliation des époux.

b) *(s'il y a lieu)* Voici les tentatives de réconciliation qui ont été faites:

9

PARTICULARS OF MARRIAGE

(Attach a marriage certificate or explain its absence)

ÉTAT CIVIL

(Annexez un certificat de mariage ou justifiez son absence.)

4 (a) The petitioner and respondent were married on the 12th day of May 19 81, at Moncton, NB. *(place of marriage)*

4 a) Le requérant et l'intimé se sont épousés le ..... 19..... à ..... *(endroit)*

(b) The wife's surname before marriage was ..... FERRÉ

b) L'épouse avait pour nom de famille avant le mariage: .....

(c) The husband's surname before marriage was .. PAGE

c) L'époux avait pour nom de famille avant le mariage: .....

(d) The marital status of each spouse at the time of the marriage was, wife ..... single ..... husband ..... single .....

d) Au moment du mariage, l'état matrimonial des conjoints était comme suit: épouse: ..... époux: .....

(e) The wife was born on the 3rd day of April 19 61

e) L'épouse est née le ..... 19.....

(f) The husband was born on the 7th day of June 19 58

f) L'époux est né le ..... 19.....

10

RESIDENCE AND JURISDICTION

5 (a) The petitioner resides at Moncton in the Province of New Brunswick

RÉSIDENCE ET RESSORT JUDICIAIRE

5 a) Le requérant réside à ..... dans la province de .....

(b) The respondent resides at Moncton ..... in the Province of New Brunswick

b) L'intimé réside à ..... dans la province de .....

(c) The ~~petitioner OR respondent OR~~ both the petitioner and respondent ~~has~~have been ordinarily resident in the Province of New Brunswick for at least one year immediately preceding the date of the commencement of this proceeding.

c) (Le requérant OU l'intimé OU les deux) a/ont résidé habituellement dans la province du Nouveau-Brunswick pendant au moins l'anné précédant l'introduction de l'instance.

CAPACITY

6 Both the petitioner and the respondent are of the full age of 19 years and neither of them suffers from any legal disability.

CAPACITÉ

6 Le requérant et l'intimé ont chacun 19 ans révolus et ne sont pas atteints d'une incapacité juridique.

CHILDREN 11

7 (a) The following are all the living children of the marriage as defined by the Divorce Act, 1985:

LES ENFANTS

7 a) Les enfants à charge au sens de la Loi de 1985 sur le divorce sont les suivants:

Full Name Nom et prénoms	Birth date Date de naissance	School and grade or year École et année	Person(s) with whom child lives and length of time child has lived there Personne(s) avec laquelle (lesquelles) réside l'enfant et depuis combien de temps
Sebastien PAGE	January 3, 1983	Victoria School 2nd grade	Mother since January 29, 1989
Jerome PAGE	March 7, 1985	Happy Kindergarten	Mother since January 29, 1989

The children ordinarily reside in *(municipality and province, state or country)* .....
Moncton, New Brunswick

Les enfants résident habituellement à *(municipalité et province, état ou pays)* .....
.....

(b) The petitioner seeks an order for custody or joint custody of the following children on the following terms: *(Be sure that this claim agrees with the claim under clause 1(b).)*

b) Le requérant demande une ordonnance de garde ou de garde conjointe des enfants suivants, selon les modalités qui suivent: *(Assurez-vous que la présente demande est conforme à la demande présentée à l'alinéa 1b).)*

Name of child Nom de l'enfant	Terms of the order Modalités de l'ordonnance
Sebastien PAGE	A support order as agreed to in clause(s) ___ of the separation agreement dated ___ 19__, a copy of which is attached.
Jerome PAGE	A support order as agreed to in clause(s) ___ of the separation agreement dated ___ 19__, a copy is attached.

The respondent [X] agrees
[ ] does not agree with the above terms.

L'intimé [ ] consent
[ ] ne consent pas aux modalités susmentionnés.

(c) The petitioner is not seeking an order for custody and

[ ] is content that a previous court order for custody continue in force, or

[ ] is attempting to obtain an order for custody in another proceeding, full particulars of which are as follows: *(Give name of court, court file number and particulars of the order or proceeding.)*

c) Le requérant ne demande pas d'ordonnance de garde et

[ ] consent à la continuation d'une ordonnance de garde antérieure, ou

[ ] tente d'obtenir une ordonnance de garde dans une autre instance, dont les détails sont les suivants: *(Donnez le nom de la cour, le numéro du dossier et les détails de l'ordonnance ou de l'instance.)*

(d) The petitioner seeks an order for access (a visiting arrangement) and is content that the respondent have an order for custody of the following children on the following terms: *(Be sure that this claim agrees with the claim under clause 1(b).)*

d) Le requérant demande une ordonnance d'accès (arrangements concernant les droits de visite) et consent à ce que l'intimé obtienne une ordonnance de garde pour les enfants suivants, selon les modalités qui suivent: *(Assurez-vous que la présente demande est conforme à la demande présentée en vertu de l'alinéa 1b).*

Name of child Nom de l'enfant	Terms of order Modalités de l'ordonnance

The respondent [ ] agrees
[ ] does not agree with the above terms.

L'intimé [ ] consent
[ ] ne consent pas aux modalités susmentionnés.

45-3587 (6-87)

(e) The following is the existing access (visiting arrangement) for the spouse who does not have the children living with him or her: *(Give details such as days of the week, hours of visit and place of access.)*

e) Les droits d'accès actuels (arrangements concernant les droits de visite) de l'époux qui ne réside pas avec les enfants sont les suivants: *(Donnez les détails tels les jours de la semaine, les heures de visite et le lieu d'accès.)*

The respondent has access to the children every Sunday from 10 a.m. to 6p.m. at 2 Poplar St., The respondent also has access one week during his annual vacation; a two-month notice is given to the petitioner.

(f) The above access (visiting arrangement) is

[X] satisfactory.
[ ] not satisfactory.

(If not satisfactory, give reasons and describe how the access should be changed.)

f) Les droits d'accès (arrangements concernant les droits de visite) susmentionnés sont

[ ] satisfaisants
[ ] insatisfaisants.

(Si les droits d'accès ne sont pas satisfaisants, en donner les raisons et décrire comment les arrangements devraient être modifiés.)

(g) The order sought in clause (b) or (d) is in the best interests of the children for the following reasons:

g) L'ordonnance demandée en vertu de l'alinéa b) ou d) est dans l'intérêt supérieur des enfants pour les raisons suivantes:

Since their birth, I have taken care of the children. There is a strong bond between the children and me. It is in their best interest that they continue to live in a stable and secure environment. I have the ability to meet the daily needs of my children.

(h) The following changes in the circumstances of the spouses are expected to affect the children, their custody and the access (visiting arrangement) in the future:

h) Les changements dans la situation des époux qui sont susceptibles d'affecter les enfants, leur garde et les droits d'accès (arrangements concernant les droits de visite) sont les suivants:

(i) The existing arrangements between the spouses for support for the children are as follows:

i) Les arrangements actuels entre les époux pour les aliments des enfants sont les suivants:

Amount paid Montant payé	Time period (weekly, monthly, etc.) Période (paiement hebdomadaire, mensuel etc.)	Paid by (husband or wife) Montant payé par (l'époux ou l'épouse)	Paid for (name of child) Montant payé pour le bénéfice de (nom de l'enfant)
$200	3rd day of each month	husband	Sebastien PAGE
$200	3rd day of each month	husband	Jerome PAGE

(j) The existing support arrangements

[X] are being honoured.
[ ] are not being honoured.

(If not being honoured, specify how much is unpaid and for how long. If you seek an order for payment of part or all of the unpaid amount, be sure to include it in the claim under clause 1(b).)

j) Les arrangements actuels relativement aux versements d'aliments

[ ] sont respectés
[ ] ne sont pas respectés.

(Si les arrangements ne sont pas respectés, précisez le montant des arrérages et depuis quand ils sont dûs. Si vous demandez une ordonnance pour le paiement partiel ou total de l'arrérage, assurez-vous qu'une demande en vertu de l'alinéa 1b) est incluse.)

(k) The petitioner proposes that the support arrangements for the children should be as follows: *(Be sure that this claim agrees with the claim under clause 1(b).)*

k) Le requérant propose que les arrangements relatifs au paiement d'aliments pour le bénéfice des enfants soient les suivants: *(Assurez-vous que la présente demande est conforme à la demande présentée à l'alinéa 1b).)*

Amount to be paid Montant à être payé	Time period (weekly, monthly, etc.) Période (paiement hebdomadaire, mensuel, etc.)	To be paid by (husband or wife) Montant à être payé par (l'époux ou l'épouse)	To be paid for (name of child) Montant à être payé pour le bénéfice de (nom de l'enfant)
$200	3rd day of each month	husband	Sebastien PAGE
$200	3rd day of each month	husband	Jerome PAGE

(l) The educational needs of the children

[X] are being met.
[ ] are not being met.

(If not being met, give particulars.)

l) Les besoins éducationnels des enfants

[ ] sont satisfaits
[ ] ne sont pas satisfaits.

(Si ces besoins ne sont pas satisfaits, donnez les détails.)

12

OTHER COURT PROCEEDINGS

8 The following are all other court proceedings with reference to the marriage or any child of the marriage: *(Give the name of the court, the court file number, the kind of order the court was asked to make and what order, if any, the court made. If the proceeding is not yet completed, give its current status.)*

AUTRES PROCÉDURES JUDICIAIRES

8 Toutes les procédures judiciaires relatives au mariage ou aux enfants à charge sont les suivantes: *(Donnez le nom de la cour, le numéro du dossier, le genre d'ordonnance demandée et l'ordonnance rendue par la cour, s'il y a lieu. Si l'instance n'a pas été menée à conclusion, dites à quelle étape elle se trouve.)*

No other court proceedings are underway with reference to the marriage.

DOMESTIC CONTRACTS, SEPARATION AGREEMENTS, MINUTES OF SETTLEMENT OR OTHER FINANCIAL ARRANGEMENTS 13

CONTRATS DOMESTIQUES, ENTENTES DE SÉPARATION, COMPTE RENDU D'UN RÈGLEMENT AMIABLE OU AUTRES ARRANGEMENTS FINANCIERS

9 (a) **The spouses have entered into the following domestic contracts, separation agreements, minutes of settlement or other written or oral financial arrangements:** *(Give particulars and attach copies. State whether the arrangements are now in effect. If support payments have not been paid in full, state the amount that has not been paid.)*

9 a) **Les époux ont conclu un contrat domestique, une entente de séparation, un compte rendu d'un règlement amiable, ou autres arrangements financiers verbaux ou écrits qui suivent:** *(Donnez les détails et annexez des copies. Mentionnez s'il y a des arrangements en vigueur. Si des paiements alimentaires sont en souffrance, citez les montants qui n'ont pas été payés.)*

Date ____ 19__

Nature of arrangements
Genre d'arrangement

The spouses agreed through a separation agreement (copy attached) that the petitioner would have the custody of the children and the respondent would have access. The respondent pays $200 per month for each child since March 3, 1989. The respondent is not in arrears. The spouses also agreed to the division of property in the separation agreement.

(b) *(Where a claim for support or division of property is made, check the appropriate box or boxes.)*

b) *(Lorsqu'une demande d'ordonnance alimentaire ou de répartition des biens est faite, cochez la ou les cases applicables.)*

☐ **The Financial Statement of the petitioner, in the form prescribed by the Rules of Court, is attached.**

☐ **L'état financier du requérant, en la forme prescrite par les règles de procédure, est annexé à la présente demande.**

☐ **I claim a division of property not listed in the Financial Statement. A list of all property that I seek to have divided is attached and my claim to each item of property is set out on the list.**

☐ **Je demande une répartition de biens non énumérés dans l'état financier. Une liste de tous les biens dont je demande la répartition est annexée et ma réclamation de chacun de ces biens y est établie.**

☒ **The petitioner and respondent agree that corollary relief should be granted as set out above in the petitioner's claim.**

☐ **Le requérant et l'intimé consentent à ce que les mesures accessoires telles que décrites dans la demande du requérant soient accordées.**

COLLUSION, CONDONATION AND CONNIVANCE 14

COLLUSION, PARDON ET CONNIVENCE

10(a) **There has been no collusion in relation to this proceeding.**

10 a) **Il n'y a eu aucune collusion relativement à la présente demande.**

(b) *(Where breakdown of the marriage is alleged on the basis of adultery or cruelty, check the box below, unless there has been either connivance or condonation on the part of the petitioner, in which case give full particulars of the facts on which the Court will be asked to find that the public interest would be better served by granting the divorce.)*

b) *(S'il est allégué qu'il y a échec du mariage par raison d'adultère ou de cruauté, cochez la case ci-dessous, sauf s'il y a eu connivence ou pardon de la part du requérant; dans ce cas, précisez tous les faits sur lesquels la cour sera appelée à se prononcer pour conclure que l'intérêt public serait mieux servi si le jugement sollicité était rendu.)*

☐ **There has been no condonation or connivance on the part of the petitioner.**

☐ **Il n'y a eu aucun pardon ou aucune connivence de la part du requérant.**

PLACE OF TRIAL 15

11 The petitioner proposes that this proceeding be tried at ....Moncton.....

LIEU DU PROCÈS

11 Le requérant propose que la présente instance soit entendu à .....

DECLARATION OF PETITIONER 16

12 I have read and understand this Petition for Divorce. The statements of which I have personal knowledge are true, and those of which I do not have personal knowledge I believe to be true.

DATED at ..Moncton...., this .....

.....day of ....., 19.....

Esther Page
.....
signature of petitioner

DÉCLARATION DU REQUÉRANT

12 J'ai lu la présente requête en divorce et j'en comprends le sens. Les faits qui y sont énoncés et dont j'ai une connaissance personnelle sont vrais et je crois être vrais ceux dont je n'ai pas de connaissance personnelle.

FAIT à ..... le .....

..... 19.....

.....
signature du requérant

STATEMENT OF SOLICITOR

Esther Page
2 Poplar St.
Moncton
E1C 1A1
Ph.: 888-0000

13 *(Where petitioner has retained a solicitor)*

I ..... solicitor for the petitioner, certify that I have complied with the requirements of section 9 of the Divorce Act, 1985.

(Where in the circumstances it would clearly not be appropriate to discuss the matters in subsection 9(1) with the petitioner, set out the circumstances.)

DÉCLARATION DE L'AVOCAT

13 *(Si le requérant a retenu les services d'un avocat)*

JE SOUSSIGNÉ ....., avocat du requérant, atteste m'être conformé aux exigences de l'article 9 de la Loi de 1985 sur le divorce.

(Si les circonstances en l'espèce sont telles qu'il serait inapproprié de discuter des questions visées au paragraphe 9(1) avec le requérant, indiquez ces circonstances.)

DATED at ..... this .....

.....day of ....., 19.....

.....
signature of solicitor

FAIT à ..... le .....

..... 19.....

.....
signature de l'avocat

.....
solicitor's business address

.....
adresse professionnelle de l'avocat

Explanatory Notes to the Petition for Divorce

0. A number will be assigned by the Registrar and this number must appear on all of your court documents.

1. Indicate the appropriate judicial district.

2. Indicate your full name as found on the marriage certificate.

3. Indicate the full name and address of the respondent.

4. Indicate the language used - the language of the documents. The hearing, if any, will be held in the language indicated in the Petition for Divorce.

5. THIS PETITION FOR DIVORCE - When the Petition for Divorce is received by the Registrar in Fredericton, the full date will be added.

6. CLAIM - You must state your claim clearly to the court. You must refer specifically to the provisions of the separation agreement inserted. The separation agreement must be attached to the Petition for Divorce.

   The Divorce Judgment does not deal with the division of marital property. You must prepare an order for a division of marital property, which will be included in the court record and submitted to the court (see Example 8).

7. GROUNDS - Check the appropriate box and provide information.

8. RECONCILIATION - If no efforts to reconcile were made, you must say so. However, if efforts to reconcile were made, you must explain what was done.

9. PARTICULARS OF MARRIAGE - Do not forget to attach your marriage certificate. Make sure that the information in the Petition for Divorce is the same as the information on the marriage certificate.

10. RESIDENCE AND JURISDICTION - Residence means the place where you are now living. The Divorce Act, 1985 requires you to have lived in a province for at least one year immediately before you begin divorce proceedings.

11. CHILDREN -
    Subsection 7a - Indicate the children's names and provide the information requested.
    Subsection 7b - Indicate the specific order sought.
    Subsection 7e - Indicate the specific visiting arrangements.

Subsection 7f - Check the appropriate box.
Subsection 7g - Specify why the custody arrangements are in the best interests of the children.
Subsection 7i - Provide all of the information requested.
Subsection 7j - Check the appropriate box.
Subsection 7k - Indicate the specific arrangements sought.
Subsection 7l - Check the appropriate box.

12. OTHER COURT PROCEEDINGS - If applicable, you must provide particulars of any orders obtained with reference to the marriage or the children. You must attach a copy of the orders obtained.

13. DOMESTIC CONTRACTS, SEPARATION AGREEMENTS -
Subsection 9a - You must provide information about child custody and access, support, and the division of marital property. Do not forget to attach a copy.

Subsection 9b - Check the appropriate box or boxes. If you are asking for an order for child support, attach a financial statement.

14. COLLUSION, CONDONATION AND CONNIVENCE
Subsection 10b - Strike out this section because condonation and connivance apply only to cases of adultery and mental or physical cruelty.

15. PLACE OF TRIAL - Specify the place of trial, which must be the same as the judicial district.

16. DECLARATION OF PETITIONER - Indicate the place and date. Sign the petition and give your full address. DO NOT FORGET TO MAKE COPIES OF YOUR DOCUMENTS BEFORE YOU SIGN, BECAUSE YOU MUST SIGN EACH COPY. YOU MAY NOT PHOTOCOPY A SIGNATURE.

Health and Welfare Canada
Income Security Programs

Santé et Bien-être social Canada
Programmes de la sécurité du revenu

Cette formule est disponible en français

Personal Information Bank HHW/P-PU-145

FOR PERTINENT INFORMATION WITH RESPECT TO THE PRIVACY ACT, PLEASE SEE INFORMATION SHEET.

DIVISION OF UNADJUSTED PENSIONABLE EARNINGS ("PENSION CREDITS") CANADA PENSION PLAN

COMPLETE THE UNSHADED AREAS
PLEASE PRINT

LANGUAGE PREFERENCE
ENGLISH ☐ FRENCH ☐

- HWC PROTECTED -

SECTION A — INFORMATION ABOUT SPOUSE OR FORMER SPOUSE (MALE)

FOR OFFICE USE ONLY: SEQ. | OVER-RIDE | AGE ESTABLISHED

1A. SOCIAL INSURANCE NUMBER

1B. DATE OF BIRTH Day Month Year

DA

2. TITLE GIVEN NAME AND INITIAL FAMILY NAME

Q SURNAME — VALIDATOR

DB

3. HOME ADDRESS (Number and Street) (Apt. No., P.O. Box, R.R. No.)

DC

4. (City, Town or Village) (Province or Territory) (Country) (Postal Code)

DD

5A. IF ADDRESS SHOWN IN 3. ABOVE IS OUTSIDE OF CANADA, INDICATE THE LAST PROVINCE OF RESIDENCE.

5B. SPOUSE OR FORMER SPOUSE'S NAME AT BIRTH. Same as in 2. above ☐ or

6A. IS THIS PERSON RECEIVING OR HAS THIS PERSON EVER RECEIVED OR APPLIED FOR A BENEFIT UNDER:
The Canada Pension Plan? ☐Yes ☐No
The Quebec Pension Plan? ☐Yes ☐No
The Old Age Security Act? ☐Yes ☐No

6B. IF YES, INDICATE UNDER WHAT SOCIAL INSURANCE NUMBER

SECTION B — INFORMATION ABOUT SPOUSE OR FORMER SPOUSE (FEMALE)

FOR OFFICE USE ONLY: SEQ. | OVER-RIDE | AGE ESTABLISHED

7A. SOCIAL INSURANCE NUMBER

7B. DATE OF BIRTH Day Month Year

DE

8. TITLE GIVEN NAME AND INITIAL FAMILY NAME

Q SURNAME — VALIDATOR

DF

9. HOME ADDRESS (Number and Street) (Apt. No., P.O. BOX, R.R. No.)

DG

10. (City, Town or Village) (Province or Territory) (Country) (Postal Code)

DH

11A. IF ADDRESS SHOWN IN 9. ABOVE IS OUTSIDE OF CANADA, INDICATE THE LAST PROVINCE OF REBIDENCE.

11B. SPOUSE OR FORMER SPOUSE'S NAME AT BIRTH. Same as in 8. above ☐ or

12A. IS THIS PERSON RECEIVING OR HAS THIS PERSON EVER RECEIVED OR APPLIED FOR A BENEFIT UNDER:
The Canada Pension Plan? ☐Yes ☐No
The Quebec Pension Plan? ☐Yes ☐No
The Old Age Security Act? ☐Yes ☐No

12B. IF YES, INDICATE UNDER WHAT SOCIAL INSURANCE NUMBER

- *Complete Section C if the credits to be divided were accumulated during a legal marriage.*

SECTION C — INFORMATION ABOUT LEGAL MARRIAGE AND DISSOLUTION OF LEGAL MARRIAGE

REFER TO INFORMATION SHEET FOR DOCUMENTATION REQUIREMENTS

FOR OFFICE USE ONLY: M.E. | D.E.

13A. DATE OF MARRIAGE Day Month Year

13B. DATE OF DISSOLUTION OF MARRIAGE (If applicable) Day Month Year

13C. DATE PERSONS NAMED IN THIS FORM LAST RESIDED TOGETHER. SAME AS 13B. ☐ OR Day Month Year

14. WAS/WERE THERE ANY PERIOD(S) WHEN THE PERSONS NAMED IN THIS FORM DID NOT RESIDE TOGETHER? ☐YES ☐NO IF YES, INDICATE THE PERIOD(S) BELOW.

FROM Day Month Year TO Day Month Year

If more space is required, attach a separate sheet.

15. REASON FOR SEPARATION (For example, separation because of employment or illness)

• *Complete Section D if the credits to be divided were accumulated during a common-law union.*

SECTION D – INFORMATION ABOUT COMMON-LAW UNION AND DISSOLUTION OF COMMON-LAW UNION
REFER TO INFORMATION SHEET FOR DOCUMENTATION REQUIREMENTS

FOR OFFICE USE ONLY

16A. DATE OF COMMENCEMENT OF COMMON-LAW UNION — Day / Month / Year

16B. DATE COMMON-LAW UNION CEASED — Day / Month / Year

UE

17. WAS/WERE THERE ANY PERIOD(S) WHEN THE PERSONS NAMED IN THIS FORM DID NOT LIVE TOGETHER? ☐ YES ☐ NO IF YES, INDICATE THE PERIOD(S) BELOW

FROM Day / Month / Year TO Day / Month / Year

If more space is required, attach a separate sheet

18. REASON FOR SEPARATION (For example, separation because of employment or illness)

SECTION E – INFORMATION ABOUT SPOUSAL AGREEMENT OR COURT ORDER
REFER TO INFORMATION SHEET FOR DOCUMENTATION REQUIREMENTS

19. DID THE SPOUSES OR FORMER SPOUSES ENTER INTO A SPOUSAL AGREEMENT OR WAS A COURT ORDER MADE CONCERNING A DIVISION OF UNADJUSTED PENSIONABLE EARNINGS? ☐ YES ☐ NO

SECTION F – INFORMATION ABOUT THE INDIVIDUAL SUPPLYING THE INFORMATION

I am the person named in Section A ☐ Section B ☐
Complete Section H or I.

I am authorized to act on behalf of the person named in Section A ☐ Section B ☐
Complete Section G.

I am none of the above ☐
Complete Section G and attach a sheet of paper explaining why you are supplying this information

IT IS AN OFFENCE TO MAKE A FALSE OR MISLEADING STATEMENT IN THIS FORM

SECTION G – INFORMATION ABOUT THE AGENCY, FIRM OR THIRD-PARTY SUPPLYING THIS INFORMATION

TITLE GIVEN NAME AND INITIAL — FAMILY NAME

HOME ADDRESS (Number and Street) — (Apt No., PO Box, RR No.)

(City, Town or Village) — (Province or Territory) — (Country) — (Postal Code)

SIGNATURE ▶ DATE Day / Month / Year TELEPHONE NUMBER

• *Complete Section H if the legal marriage terminated in divorce or judgment of nullity.*

SECTION H – DECLARATION OF INDIVIDUAL SUPPLYING THIS INFORMATION

I declare that, to the best of my knowledge and belief, the information I have given above is true and complete.

SIGNATURE ▶ DATE Day / Month / Year TELEPHONE NUMBER

• *Complete Section I if the legal marriage terminated in separation or there was a dissolution of the common-law union.*

SECTION I – DECLARATION OF INDIVIDUAL APPLYING FOR A DIVISION OF UNADJUSTED PENSIONABLE EARNINGS

I declare that, to the best of my knowledge and belief, the information I have given above is true and complete.

SIGNATURE ▶ DATE Day / Month / Year TELEPHONE NUMBER

OFFICE USE ONLY – DO NOT WRITE BELOW THIS LINE

DATE RECEIVED Day / Month / Year	DATE START LIVING TOGETHER Month / Year	DATE OF MARRIAGE Month / Year	DATE LAST LIVED TOGETHER Month / Year	DATE OF DISSOLUTION OF MARRIAGE Month / Year	RANGE OF DIVISION Month / Year / Month / Year	DIVISION ACTION	TYPE OF DIVISION	CLIENT SERVICE CENTRE NUMBER
					D E C / D E C			

DI

Taken by:

Approved pursuant to Section 55.3 of the Canada Pension Plan.

Authorized Signature — Date

DATE RECEIVED

FORM 15

APPLICATION FOR RE-ELECTION OF A SURNAME UPON THE TERMINATION OF A MARRIAGE OF A PERSON AS A RESULT OF DIVORCE, ANNULMENT OR DEATH

CHANGE OF NAME ACT SUB SECTION 12(7)
DEPARTMENT OF HEALTH AND COMMUNITY SERVICES
CHANGE OF NAME / MARRIAGE ACT OFFICE
VITAL STATISTICS
P.O. BOX 6000, FREDERICTON, N.B.
E3B 5H1

I request that all future communications be in (state preference) ☐ English ☐ French

SECTION 1

I _____ (Given Name(s)) _____ (Surname)

of Present Address _____ (Street)

_____ (City, Town, Village or Other) (Province (Postal Code), or State and Country) (Telephone)

SECTION 2

Name of Bride _____ (Given Name(s))

_____ (Surname (at time of marriage)) _____ (Medicare No.)

Name of Groom _____ (Given Name(s))

_____ (Surname (at time of marriage)) _____ (Medicare No.)

Date of Marriage _____ (Year) / _____ (Month (name)) / _____ (Day)

Place of Marriage _____ (City, Town, Village or Other)

_____ (Province or State and Country)

Surname elected upon Marriage

_____ (Surname)

SECTION 3

Reason for re-election

☐ Divorce (Proof of Divorce hereto attached)

☐ Annulment of Marriage (Proof of Judicial Annulment attached)

☐ Death of Spouse (Proof of death of Spouse attached)

SECTION 4

Surname re-elected

☐ Registered Surname of the Person

☐ Surname used immediately before the Marriage

SECTION 5

The Surname I have re-elected is

_____

Dated this ____ day of _____, 19 ____.

_____ (Signature of Applicant)

SECTION 6

FOR CHANGE OF NAME / MARRIAGE ACT OFFICE USE ONLY / RÉSERVÉ À L'USAGE DU BUREAU DE CHANGEMENT DE NOM / LOI SUR LE MARIAGE

Application approved by / Demande approuvée par

_____ (Registrar General / Registraire général(e))

Effective date of re-election / Date d'entrée en vigueur du nouveau choix

_____ (Year / Année) / _____ (Month (Name) / Mois (nom)) / _____ (Day / Jour)

Election Identification Number / Numéro d'identification du choix

_____

FORMULE 15

DEMANDE VISANT UN NOUVEAU CHOIX DU NOM DE FAMILLE APRÈS QU'IL A ÉTÉ MIS FIN AU MARIAGE D'UNE PERSONNE POUR CAUSE DE DIVORCE, D'ANNULATION OU DE DÉCÈS

LOI SUR LE CHANGEMENT DE NOM PARAGRAPHE 12(7)
MINISTÈRE DE LA SANTÉ
ET DES SERVICES COMMUNAUTAIRES
BUREAU DE CHANGEMENT DE NOM / LOI SUR LE MARIAGE
STATISTIQUES DE L'ÉTAT CIVIL
C.P. 6000, FREDERICTON, N.B.
E3B 5H1

Je demande que toutes les futures communications soient faites en (Indiquer votre préférence) ☐ Anglais ☐ Français

SECTION 1

Je soussigné(e) _____ (prénom(s)) _____ (nom de famille)

de l'adresse actuelle _____ (rue)

_____ (cité, ville, village ou autre) (Province (code postal) ou État et pays) (Téléphone)

SECTION 2

Nom de la mariée _____ (prénom(s))

_____ (nom de famille (au moment du mariage)) _____ (N° d'assurance maladie)

Nom du marié _____ (prénom(s))

_____ (nom de famille (au moment du mariage)) _____ (N° d'assurance maladie)

Date du mariage _____ (année) / _____ (mois (écriture)) / _____ (jour)

Lieu du mariage _____ (cité, ville, village ou autre)

_____ (province ou État et pays)

Nom de famille choisi au moment du mariage

_____ (nom de famille)

SECTION 3

Raison du nouveau choix

☐ Divorce (preuve de divorce ci-jointe)

☐ Annulation du mariage (Preuve d'annulation judiciaire ci-jointe)

☐ Décès du (de la) conjoint(e) (Preuve de décès du conjoint(e) annexée)

SECTION 4

Nom de famille nouvellement choisi

☐ Nom de famille enregistré de la personne

☐ Nom de famille utilisé immédiatement avant le mariage

SECTION 5

Le nouveau nom de famille que j'ai choisi est

_____

Fait le _____ 19 ____

_____ (Signature du (de la) requérant(e))

SECTION 6

FOR CHANGE OF NAME / MARRIAGE ACT OFFICE USE ONLY / RÉSERVÉ À L'USAGE DU BUREAU DE CHANGEMENT DE NOM / LOI SUR LE MARIAGE

Application approved by / Demande approuvée par

_____ (Registrar General / Registraire général(e))

Effective date of re-election / Date d'entrée en vigueur du nouveau choix

_____ (Year / Année) / _____ (Month (Name) / Mois (nom)) / _____ (Day / Jour)

Election Identification Number / Numéro d'identification du choix

_____